

House File 808 - Reprinted

HOUSE FILE _____
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO HSB 276)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to and making appropriations involving state
2 government, including provisions affecting agriculture and
3 natural resources.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 1083HV 81
6 da/sh/8

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1 1 AGRICULTURE AND NATURAL RESOURCES
1 2 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP
1 3 GENERAL APPROPRIATIONS
1 4 Section 1. GENERAL DEPARTMENT APPROPRIATION. There is
1 5 appropriated from the general fund of the state to the
1 6 department of agriculture and land stewardship for the fiscal
1 7 year beginning July 1, 2005, and ending June 30, 2006, the
1 8 following amount, or so much thereof as is necessary, to be
1 9 used for the purposes designated:
1 10 For purposes of supporting the department, including its
1 11 divisions, for administration, regulation, and programs, for
1 12 salaries, support, maintenance, miscellaneous purposes, and
1 13 for not more than the following full-time equivalent
1 14 positions:
1 15 \$ 17,213,319
1 16 FTEs 412.52
1 17 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP
1 18 DESIGNATED APPROPRIATIONS
1 19 Sec. 2. SENIOR FARMERS MARKET NUTRITION PROGRAM. There is
1 20 appropriated from the general fund of the state to the
1 21 department of agriculture and land stewardship for the fiscal
1 22 year beginning July 1, 2005, and ending June 30, 2006, the
1 23 following amount, or so much thereof as is necessary, to be
1 24 used for the purposes designated:
1 25 For purposes of administering a senior farmers market
1 26 nutrition program, including salaries, support, maintenance,
1 27 miscellaneous purposes, and for not more than the following
1 28 full-time equivalent positions:
1 29 \$ 77,000
1 30 FTEs 1.00
1 31 Sec. 3. CHRONIC WASTING DISEASE. There is appropriated
1 32 from the general fund of the state to the department of
1 33 agriculture and land stewardship for the fiscal year beginning
1 34 July 1, 2005, and ending June 30, 2006, the following amount,
1 35 or so much thereof as is necessary, to be used for the
2 1 purposes designated:
2 2 For purposes of administering a chronic wasting disease
2 3 control program for the control of chronic wasting disease
2 4 which threatens farm deer as provided in chapter 170,
2 5 including salaries, support, maintenance, miscellaneous
2 6 purposes, and for not more than the following full-time
2 7 equivalent positions:
2 8 \$ 100,000
2 9 FTEs 1.60
2 10 The program may include procedures for the inspection and
2 11 testing of farm deer, responses to reported cases of chronic
2 12 wasting disease, and methods to ensure that owners of farm
2 13 deer may engage in the movement and sale of farm deer.
2 14 Sec. 4. RIVER AUTHORITY. There is appropriated from the
2 15 general fund of the state to the department of agriculture and
2 16 land stewardship for the fiscal year beginning July 1, 2005,
2 17 and ending June 30, 2006, the following amount, or so much

2 18 thereof as is necessary, to be used for the purpose
 2 19 designated:
 2 20 For purposes of supporting the department's membership in
 2 21 the state interagency Missouri river authority, created in
 2 22 section 28L.1, in the Missouri river basin association:
 2 23 \$ 9,535
 2 24 Sec. 5. HORSE AND DOG RACING. There is appropriated from
 2 25 the moneys available under section 99D.13 to the department of
 2 26 agriculture and land stewardship for the fiscal year beginning
 2 27 July 1, 2005, and ending June 30, 2006, the following amount,
 2 28 or so much thereof as is necessary, to be used for the
 2 29 purposes designated:
 2 30 For salaries, support, maintenance, and miscellaneous
 2 31 purposes for the administration of section 99D.22:
 2 32 \$ 305,516
 2 33 Sec. 6. DAIRY PRODUCTS CONTROL BUREAU. There is
 2 34 appropriated from the general fund of the state to the
 2 35 department of agriculture and land stewardship for the fiscal
 3 1 year beginning July 1, 2005, and ending June 30, 2006, the
 3 2 following amount, or so much thereof as is necessary, to be
 3 3 used for the purposes designated:
 3 4 For purposes of supporting the operations of the dairy
 3 5 products control bureau, including salaries, support,
 3 6 maintenance, and miscellaneous purposes:
 3 7 \$ 643,166
 3 8 Sec. 7. AVIAN INFLUENZA. There is appropriated from the
 3 9 general fund of the state to the department of agriculture and
 3 10 land stewardship for the fiscal year beginning July 1, 2005,
 3 11 and ending June 30, 2006, the following amount, or so much
 3 12 thereof as is necessary, to be used for the purpose
 3 13 designated:
 3 14 For the support of testing and monitoring avian influenza:
 3 15 \$ 50,000
 3 16 Notwithstanding section 8.33, moneys appropriated in this
 3 17 section that remain unencumbered or unobligated at the close
 3 18 of the fiscal year shall not revert but shall remain available
 3 19 for the continued testing and monitoring of avian influenza
 3 20 until the close of the succeeding fiscal year.
 3 21 Sec. 8. APIARY REGULATION. There is appropriated from the
 3 22 general fund of the state to the department of agriculture and
 3 23 land stewardship for the fiscal year beginning July 1, 2005,
 3 24 and ending June 30, 2006, the following amount, or so much
 3 25 thereof as is necessary, to be used for the purposes
 3 26 designated:
 3 27 For support of apiary regulation as provided in chapter
 3 28 160, including salaries, support, maintenance, and
 3 29 miscellaneous purposes:
 3 30 \$ 40,000
 3 31 Sec. 9. SOIL AND WATER CONSERVATION DISTRICTS. There is
 3 32 appropriated from the general fund of the state to the
 3 33 department of agriculture and land stewardship for the fiscal
 3 34 year beginning July 1, 2005, and ending June 30, 2006, the
 3 35 following amount, or so much thereof as is necessary, to be
 4 1 used for the purposes designated:
 4 2 For purposes of reimbursing commissioners of soil and water
 4 3 conservation districts for administrative expenses including
 4 4 but not limited to travel expenses, technical training, and
 4 5 professional dues:
 4 6 \$ 250,000
 4 7 A soil and water conservation district receiving moneys
 4 8 from an allocation provided pursuant to this section shall
 4 9 submit a report to the soil conservation division of the
 4 10 department of agriculture and land stewardship by January 1,
 4 11 2006, accounting for moneys which have been expended or
 4 12 unexpended or which have been obligated or encumbered. The
 4 13 report shall state how the moneys were used.
 4 14 DEPARTMENT OF NATURAL RESOURCES
 4 15 GENERAL APPROPRIATIONS
 4 16 Sec. 10. GENERAL DEPARTMENT APPROPRIATION. There is
 4 17 appropriated from the general fund of the state to the
 4 18 department of natural resources for the fiscal year beginning
 4 19 July 1, 2005, and ending June 30, 2006, the following amount,
 4 20 or so much thereof as is necessary, to be used for the
 4 21 purposes designated:
 4 22 For purposes of supporting the department, including its
 4 23 divisions, for administration, regulation, and programs, for
 4 24 salaries, support, maintenance, miscellaneous purposes, and
 4 25 for not more than the following full-time equivalent
 4 26 positions:
 4 27 \$ 16,883,439
 4 28 FTEs 1,105.46

4 29 Sec. 11. STATE FISH AND GAME PROTECTION FUND ==
 4 30 APPROPRIATION TO THE DIVISION OF FISH AND WILDLIFE.
 4 31 1. a. There is appropriated from the state fish and game
 4 32 protection fund to the department of natural resources for the
 4 33 fiscal year beginning July 1, 2005, and ending June 30, 2006,
 4 34 the following amount, or so much thereof as is necessary, to
 4 35 be used for the purposes designated:
 5 1 For administrative support, and for salaries, support,
 5 2 maintenance, equipment, and miscellaneous purposes:
 5 3 \$ 31,370,766
 5 4 b. Notwithstanding section 455A.10, the department may use
 5 5 the unappropriated balance remaining in the fish and game
 5 6 protection fund to provide for the funding of health and life
 5 7 insurance premium payments from unused sick leave balances of
 5 8 conservation peace officers employed in a protection
 5 9 occupation who retire, pursuant to section 97B.49B.
 5 10 2. The department shall not expend more moneys from the
 5 11 fish and game protection fund than provided in this section,
 5 12 unless the expenditure derives from contributions made by a
 5 13 private entity, or a grant or moneys received from the federal
 5 14 government, and is approved by the natural resource
 5 15 commission. The department of natural resources shall
 5 16 promptly notify the legislative services agency and the
 5 17 chairpersons and ranking members of the joint appropriations
 5 18 subcommittee on agriculture and natural resources concerning
 5 19 the commission's approval.
 5 20 Sec. 12. GROUNDWATER PROTECTION FUND. There is
 5 21 appropriated from the groundwater protection fund created in
 5 22 section 455E.11 to the department of natural resources for the
 5 23 fiscal year beginning July 1, 2005, and ending June 30, 2006,
 5 24 from those moneys which are not allocated pursuant to that
 5 25 section, the following amount, or so much thereof as is
 5 26 necessary, to be used for the purposes designated:
 5 27 For administrative support, and for salaries, support,
 5 28 maintenance, equipment, and miscellaneous purposes related to
 5 29 providing for groundwater quality:
 5 30 \$ 3,455,832
 5 31 DEPARTMENT OF NATURAL RESOURCES
 5 32 RELATED TRANSFERS
 5 33 Sec. 13. SNOWMOBILE FEES == TRANSFER FOR ENFORCEMENT
 5 34 PURPOSES. There is transferred on July 1, 2005, from the fees
 5 35 required to be deposited in the special snowmobile fund under
 6 1 section 321G.7 to the fish and game protection fund and
 6 2 appropriated to the department of natural resources for the
 6 3 fiscal year beginning July 1, 2005, and ending June 30, 2006,
 6 4 the following amount, or so much thereof as is necessary, to
 6 5 be used for the purpose designated:
 6 6 For enforcing snowmobile laws as part of the state
 6 7 snowmobile program administered by the department of natural
 6 8 resources:
 6 9 \$ 100,000
 6 10 Sec. 14. VESSEL FEES == TRANSFER FOR ENFORCEMENT PURPOSES.
 6 11 There is transferred on July 1, 2005, from the fees required
 6 12 to be deposited in the special conservation fund under section
 6 13 462A.52 to the fish and game protection fund and appropriated
 6 14 to the natural resource commission for the fiscal year
 6 15 beginning July 1, 2005, and ending June 30, 2006, the
 6 16 following amount, or so much thereof as is necessary, to be
 6 17 used for the purpose designated:
 6 18 For the administration and enforcement of navigation laws
 6 19 and water safety:
 6 20 \$ 1,400,000
 6 21 Notwithstanding section 8.33, moneys transferred and
 6 22 appropriated in this section that remain unencumbered or
 6 23 unobligated at the close of the fiscal year shall not revert
 6 24 to the credit of the fish and game protection fund but shall
 6 25 be credited to the special conservation fund established by
 6 26 section 462A.52 to be used as provided in that section.
 6 27 DEPARTMENT OF NATURAL RESOURCES
 6 28 DESIGNATED APPROPRIATIONS
 6 29 Sec. 15. REVENUE ADMINISTERED BY THE IOWA COMPREHENSIVE
 6 30 UNDERGROUND STORAGE TANK FUND BOARD. There is appropriated
 6 31 from the unassigned revenue fund administered by the Iowa
 6 32 comprehensive underground storage tank fund board, to the
 6 33 department of natural resources for the fiscal year beginning
 6 34 July 1, 2005, and ending June 30, 2006, the following amount,
 6 35 or so much thereof as is necessary, to be used for the purpose
 7 1 designated:
 7 2 For administration expenses of the underground storage tank
 7 3 section of the department of natural resources:
 7 4 \$ 200,000

7 5 Sec. 16. FLOODPLAIN PERMIT BACKLOG. Notwithstanding any
 7 6 contrary provision of state law, for the fiscal year beginning
 7 7 July 1, 2005, and ending June 30, 2006, the department of
 7 8 natural resources may use additional funds available to the
 7 9 department from stormwater discharge permit fees for the
 7 10 staffing of the following additional full-time staff members
 7 11 to reduce the department's floodplain permit backlog:
 7 12 FTEs 2.00
 7 13 Sec. 17. IMPLEMENTATION OF THE FEDERAL TOTAL MAXIMUM DAILY
 7 14 LOAD PROGRAM. Notwithstanding any contrary provision of state
 7 15 law, for the fiscal year beginning July 1, 2005, and ending
 7 16 June 30, 2006, the department of natural resources may use
 7 17 additional funds available to the department from stormwater
 7 18 discharge permit fees for the staffing of the following
 7 19 additional full-time equivalent positions for implementation
 7 20 of the federal total maximum daily load program:
 7 21 FTEs 2.00
 7 22 IOWA STATE UNIVERSITY
 7 23 DESIGNATED APPROPRIATION
 7 24 Sec. 18. OPEN FEEDLOTS HOUSING BEEF CATTLE == WATER
 7 25 QUALITY RESEARCH PROJECT. There is appropriated from the
 7 26 agrichemical remediation fund created in section 161.7 to Iowa
 7 27 state university for the fiscal year beginning July 1, 2005,
 7 28 and ending June 30, 2006, the following amount, or so much
 7 29 thereof as is necessary, to be used for the purposes
 7 30 designated:
 7 31 For purposes of supporting a water quality research project
 7 32 which studies the effectiveness of alternative technologies
 7 33 used to reduce risks to water quality from effluent
 7 34 originating from open feedlots which house beef cattle:
 7 35 \$ 100,000
 8 1 In conducting the project, Iowa state university shall
 8 2 cooperate with the Iowa cattlemen's association, the
 8 3 department of natural resources, the department of agriculture
 8 4 and land stewardship, and the United States department of
 8 5 agriculture natural resource conservation service.
 8 6 DEPARTMENT OF AGRICULTURE
 8 7 AND LAND STEWARDSHIP
 8 8 HORSE AND DOG
 8 9 REGULATION == FEES
 8 10 Sec. 19. Section 99D.22, subsection 3, paragraph d, Code
 8 11 2005, is amended by striking the paragraph and inserting in
 8 12 lieu thereof the following:
 8 13 d. Establish a registration fee imposed on each horse
 8 14 which is a thoroughbred, quarter horse, or standardbred which
 8 15 shall be paid by the breeder of the horse. The department
 8 16 shall not impose the registration fee more than once on each
 8 17 horse. The amount of the registration fee shall not exceed
 8 18 thirty dollars. The moneys paid to the department from
 8 19 registration fees shall be considered repayment receipts as
 8 20 defined in section 8.2, and shall be used for the
 8 21 administration and enforcement of this subsection.
 8 22 Sec. 20. Section 99D.22, Code 2005, is amended by adding
 8 23 the following new subsection:
 8 24 NEW SUBSECTION. 3A. a. The department of agriculture and
 8 25 land stewardship shall adopt rules establishing a schedule of
 8 26 registration fees to be imposed on owners of dogs that are
 8 27 whelped and raised for the first six months of their lives in
 8 28 Iowa for purposes of promoting native dogs as provided in this
 8 29 chapter, including section 99D.12 and this section. The
 8 30 amount of the registration fees shall be imposed as follows:
 8 31 (1) An owner of a dam registering the dam, twenty-five
 8 32 dollars.
 8 33 (2) An owner of a litter registering the litter, ten
 8 34 dollars.
 8 35 (3) An owner of a dog registering the dog, five dollars.
 9 1 b. The moneys paid to the department from registration
 9 2 fees as provided in paragraph "a" shall be considered
 9 3 repayment receipts as defined in section 8.2, and shall be
 9 4 used for the administration and enforcement of programs for
 9 5 the promotion of native dogs.
 9 6 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP
 9 7 AND DEPARTMENT OF NATURAL RESOURCES
 9 8 DEER REGULATION AND FEES
 9 9 Sec. 21. NEW SECTION. 170.3A CHRONIC WASTING DISEASE
 9 10 CONTROL PROGRAM.
 9 11 The department shall establish and administer a chronic
 9 12 wasting disease control program for the control of chronic
 9 13 wasting disease which threatens farm deer. The program shall
 9 14 include procedures for the inspection and testing of farm
 9 15 deer, responses to reported cases of chronic wasting disease,

9 16 and methods to ensure that owners of farm deer may engage in
9 17 the movement and sale of farm deer.
9 18 Sec. 22. NEW SECTION. 170.3B FARM DEER ADMINISTRATION
9 19 FEE.
9 20 The department may establish a farm deer administration fee
9 21 which shall be annually imposed on each landowner who keeps
9 22 farm deer in this state. The amount of the fee shall not
9 23 exceed two hundred dollars per year. The fee shall be
9 24 collected by the department in a manner specified by rules
9 25 adopted by the department after consulting with the farm deer
9 26 council established in section 170.2. The collected fees
9 27 shall be credited to the farm deer administration fund created
9 28 pursuant to section 170.3C.
9 29 Sec. 23. NEW SECTION. 170.3C FARM DEER ADMINISTRATION
9 30 FUND == APPROPRIATION.
9 31 A farm deer administration fund is created in the state
9 32 treasury under the control of the department.
9 33 1. The fund shall be composed of moneys appropriated by
9 34 the general assembly and moneys available to and obtained or
9 35 accepted by the department from the United States or private
10 1 sources for placement in the fund. The fund shall include all
10 2 moneys collected from the farm deer administration fee as
10 3 provided in section 170.3B.
10 4 2. The moneys in the fund are appropriated exclusively to
10 5 the department for the purpose of administering the chronic
10 6 wasting disease control program as provided in section 170.3A.
10 7 3. Section 8.33 shall not apply to moneys credited to the
10 8 fund. Notwithstanding section 12C.7, moneys earned as income
10 9 or interest from the fund shall remain in the fund until
10 10 expended as provided in this section.
10 11 Sec. 24. Section 483A.24, subsection 2, paragraph c, if
10 12 enacted by 2005 Iowa Acts, Senate File 206, section 8, is
10 13 amended to read as follows:
10 14 c. Upon written application on forms furnished by the
10 15 department, the department shall issue annually without fee
10 16 two deer hunting licenses, one antlered or any sex deer
10 17 hunting license and one antlerless deer only deer hunting
10 18 license, to the owner of a farm unit or a member of the
10 19 owner's family, but only a total of two licenses for both, and
10 20 to the tenant of a farm unit or a member of the tenant's
10 21 family, but only a total of two licenses for both. The deer
10 22 hunting licenses issued shall be valid only for use on the
10 23 farm unit for which the applicant applies pursuant to this
10 24 paragraph. The owner or the tenant need not reside on the
10 25 farm unit to qualify for the free deer hunting licenses to
10 26 hunt on that farm unit. The free deer hunting licenses issued
10 27 pursuant to this paragraph shall be valid and may be used
10 28 during any shotgun deer season. The licenses may be used to
10 29 harvest deer in two different seasons. In addition, a person
10 30 who receives a free deer hunting license pursuant to this
10 31 paragraph shall pay a one dollar fee for each license that
10 32 shall be used and is appropriated for the purpose of deer herd
10 33 population management, including assisting with the cost of
10 34 processing deer donated to the help us stop hunger program
10 35 administered by the commission.
11 1 HF 808
11 2 da:jp/es/25